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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,754	11/14/2001	Jill Ann Hansen	RPS9 2001 0093	8263
47052	7590	01/04/2005	EXAMINER	
SAWYER LAW GROUP LLP PO BOX 51418 PALO ALTO, CA 94303			MISTRY, O NEAL RAJAN	
			ART UNIT	PAPER NUMBER

2173

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/993,754

### Applicant(s)

HANSEN ET AL.

### Examiner

O'Neal R Mistry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6,7,10,11 and 16-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3,5,14 and 22-24 is/are allowed.
- 6) ☒ Claim(s) 6,7,10,11 and 16-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This application has been examined.
2. Claims 2, 3, 5-7, 10, 11, 14, 16-19, & 22-24 are presented for examination.

### ***Drawings***

The Examiner contends that the drawings submitted on November 14, 2001 are acceptable for the examination proceedings.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 6,7,10,11, 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Barber et al (U.S. Patent Number 5,777,615), hereafter referred to as Barber.

4. In regards to claim 6, Barber discloses a method for retaining points of interest when switching between at least two windows running on a multiwindow computer system- the method comprising step:

(a) providing the computer system with a multiwindow mouse with-having a joystick that allows the user to switch between the windows and to move between registered points of interest within the windows (col. 4 line 64- 67) ;

(b) allowing a user to register at least one specific point of interest in each of the windows, wherein one of the windows is active and the other windows are inactive (Figure 6 & col. 2 line 64 – col. 3 line 3);

(c) displaying a persistent mouse pointer on each of the registered points of interest in the inactive windows (Figure 6 & col. 2 line 64- col.3 line 3); and

(d) in response to the user making one of the inactive windows active, displaying an active mouse pointer at the location of the persistent mouse pointer in that window (col. 5 line 40-44).

5. In regards to claim 7, Barber discloses a method for retaining points of interest when switching between at least two windows running on a multiwindow computer system, the method comprising step:

(a) providing the computer system with a multiwindow mouse having with a registration button for registering the points of interest and a toggle button for moving between registered points of interests (Figure 9 & col. 11 lines 51-60).;

(b) allowing a user to register at least one specific point of interest in each of the windows, wherein one of the windows is active and the other windows are inactive (Figure 6 & col. 2 line 64 – col. 3 line 3);

(c) displaying a persistent mouse pointer on each of the registered points of interest in the inactive windows (Figure 6 & col. 2 line 64- col.3 line 3); and

(d) in response to the user making one of the inactive windows active, displaying an active mouse pointer at the location of the persistent mouse pointer in that window (col. 5 line 40-44).

6. In regards to claim 10, Barber discloses a multi window computer system capable of displaying multiple windows of open applications on a display screen, wherein one of the windows is active and the other windows are inactive, comprising: a multiwindow mouse for controlling an active mouse pointer on the display screen, wherein the multiwindow mouse further includes a joystick (col. 4 lines 50-53)

[Likewise, references to mouse buttons and other mouse features will be understood to include equivalent mechanisms for track balls, joystick devices, and the like.]; and

a multiwindow device driver for controlling the multiwindow mouse, the multiwindow device driver including (col. 16 lines 18-24) [a display driver that permits a computer system user to define and identify multiple display pointers on the display device that can be moved about in the displayed applications by a pointer control device and for permitting one of the display pointers to be designated an active pointer;],

means for allowing a user to register a point of interest in each of the multiple windows,

means for displaying a persistent mouse pointer on each of the registered points of interest (col. 5 lines 40-49 & col. 8 lines 42-48), and

means responsive to the joystick of the multiwindow mouse for allowing the user to switch between the windows and to move between the registered points of interest

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within the windows (col. 3 lines 34-40) (col. 4 lines 50-53) [In accordance with the invention, multiple display pointers can be manipulated and easily distinguished as a user moves from document to document or window to window so that easier and more convenient control of operations through multiple documents and windows are possible without constraint from limitations such as the number of computer hardware ports and available space for multiple display control devices.] [Likewise, references to mouse buttons and other mouse features will be understood to include equivalent mechanisms for track balls, joystick devices, and the like], and

means responsive to the user making one of the inactive windows active for displaying an active mouse pointer at the location of the persistent mouse pointer in that window (col. 3 lines 19-32).

7. In regards to claim 11, Barber discloses the user may register multiple points of interest within at least one of the windows (Figure 7 & col. 8 lines 11-17).

8. In regards to claim 16, Barber discloses a method for retaining points of interest when switching between application windows runnings on a multiwindow computer system, the method comprising steps:

(a) allowing a user to register a point of interest within a first window (Figure 6 col. 2 line 64- col. 3 line 3);

(b) displaying a first persistent mouse pointer on the registered point of interest within

the first window (col. 11 line 7 –18 & Figure 6);

(c) allowing the user to register a second point of interest within a second open window (col. 3 line 18 –32 & Figure 6);

(d) displaying a second persistent mouse pointer on the registered point of interest within the second window, such that the first and second persistent mouse pointers are displayed regardless of which window is active (col. 11 line 7 –18 & Figure 6); and

(e) allowing the user to register a display arrangement of application windows. as well as points of interest within the registered applications. such that when the computer is booted, the applications are opened in the registered window arrangement with locations of the registered points of interest indicated by the persistent mouse pointers (col. 10 lines 66-67) [That is, the pointers will be saved even when the user quits the GUI or re-boots the operating system.].

9. In regards to claim 17, Barber discloses the step of: in response to the user switching from the first window to the second window, displaying an active cursor in a location of the second persistent mouse pointer (col. 11 line 7-18).

10. In regards to claim 18, Barber discloses the step of: in response to the user switching from the second window to the first window, displaying the active cursor in a location of the first persistent mouse pointer (col. 11 line 7-18).

11. In regards to claim 19, Barber discloses the step of: enabling the user to set and delete points of interest using hotkey sequences on a keyboard (Figure 9 & col. 9 lines 42- 63).

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

During the prosecution of application 09/993754, the examiner discovered prior art US application 5,777,615, which teaches a graphical user interface system that allows the user to anchor a plurality of pointers on multi-display windows. The user was operating a plurality points and anchors the points on display apparatus by means of a pointing device.

In regards to independent claims 5 & 24, the prior art does not teach a user pressing a predefined button on a mouse, which display a dialog box for displaying a list of commands for user selection, which include a set command and a delete command.

In regards to independent claim 14, the prior art does not teach with a multi-window mouse having a registration button for registering the points of interest and a button for toggling the anchored points.

Claims 2,3,5,14,22-24 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed October 4, 2004 have been fully considered but they are not persuasive. Applicant states "standard joystick controller in place of a mouse fails to teach or suggest a non-standard integrated mouse that has been adapted to include



a joystick, where movement of the joystick switches between windows to move between registered points of interest” The examiner respectfully disagrees, because Barber states in col. 4 lines 50-53 “Likewise, references to mouse buttons and other mouse features will be understood to include equivalent mechanisms for track balls, joystick devices, and the like. “. The examiner interprets that if the mouse in the prior art as the ability to switch between the windows and move registered points around, Barber also states that the joystick can have the same functionality as the mouse, meaning switching points of interests. Having the joystick on the mouse, for having switching points of interest is the same as the have a joystick in concordance with a mouse having the ability to switch points of interest.

The Applicant disputes “Barber fails to teach a non-standard integrated mouse that has been adapted to include a registration button for registering points of interest, and a toggle button for moving between registered points of interest, as claimed in claim 7.” The examiner respectfully disagrees because in claim 7 the applicant has stated “providing the computer system with a multiwindow mouse having registration button for registering the points of interest and a toggle button for moving between registered points of interest” The examiner interprets that a multwindow mouse just has a button on mouse for the purpose of clicking the points of interest on a screen, and an additional button for the anchored pointers. Barber user the mouse to control the anchored points of interest in concordance with a keyboard to switch the anchored points, and also uses the mouse for clicking on points of interest (col. 10 lines 5-9)

[The Switch-To function listed in the table refers to changing the pointer controlled by the mouse from the current pointer to the pointer specified in the Switch-To key sequence.]. In the prior art, the mouse has the control capability of anchored points, and in addition the capacity to allow the user to register points of interest by controlling the mouse and placing the over the point of interest on the screen, and then anchoring the pointer.

The applicant disputes "Barber fails to teach or suggest "allowing the user to register a display arrangement of application windows, as well as points of interest within the registered applications, such that when the computer is booted the applications are opened in the registered window arrangement with locations of the registered points of interest indicated by the persistent mouse pointers". The examiner disagrees because Barber states that computer saves points of interest after the user has anchored the pointers even after a re-booting the system (col. 10 lines 66-67) [That is, the pointers will be saved even when the user quits the GUI or re-boots the operating system.].

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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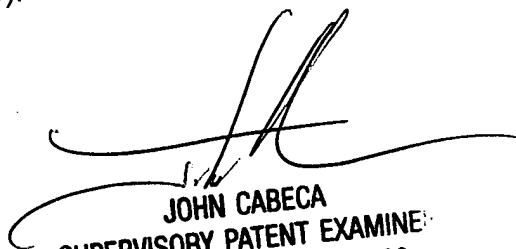
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (571) 272-4052. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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